

LEE A. MORRISON (SBN #95676)  
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Attorney for Defendant  
CRESCENT ELECTRIC SUPPLY COMPANY

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

ELIZABETH MONTIEL, an individual,

Plaintiff,

vs.

CRESCENT ELECTRIC SUPPLY  
COMPANY, a corporation; and  
DOES 1 through 25, inclusive,

Defendants.

) No. 08cv0243 DMS CAB

)  
) **DECLARATION OF LEE A. MORRISON**  
) **IN OPPOSITION TO MOTION TO**  
) **DISMISS**

)  
) Hearing Date: May 2, 2008  
) Hearing Time: 1:30 p.m.  
) Courtroom: 10

I, LEE A. MORRISON, declare as follows:

1. I am the attorney of record for Defendant CRESCENT ELECTRIC SUPPLY  
COMPANY.

2. At this point in the proceedings, Defendant CRESCENT ELECTRIC has been required  
to pay \$320.00 for the initial filing fee in the Superior Court action and \$350.00 as the initial  
appearance fee in the U.S. District Court. These expenses will be wasted if this matter is dismissed  
and a new Superior Court action is commenced, which will require another filing fee. Accordingly,  
\$670.00 in filing fees should be made reimbursable to Defendant.

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Crescent - USDC Decl LAM.doc

1 The attorney time expended to research and draft opposition papers in connection with the subject  
2 motion should also be reimbursed. This time was expended to produce work product that cannot be  
3 used in later litigation on the same claim. These are fees that would not have been incurred if  
4 Plaintiff had named all targeted defendants, including Jeffrey Hoyt, when filing the initial Superior  
5 Court action. I have used 8.5 hours to research and draft the opposition papers, which is billed to  
6 the client at \$250 per hour. Accordingly \$2,125 is reimbursable in attorneys fees. The total sum  
7 reimbursable, in fees and costs is \$2,795.00.

8 I declare under penalty of perjury that the above statements are true and correct, executed  
9 this 17<sup>th</sup> day of April, 2008, in San Diego County, California.

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12 LEE A. MORRISON  
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*Lee A. Morrison*  
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